



EXPRESS MAIL NO. EL615254881US

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Amnis CorporationApplication No./Patent No.: 09/977,076 Filed/Issue Date: October 12, 2001Entitled: SYSTEM AND METHOD FOR HIGH NUMERIC APERTURE IMAGING SYSTEMAmnis Corporation

(Name of Assignee)

a

Corporation(Type of Assignee, e.g., corporation, partnership,
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above.
The assignment was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the
current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be
submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records
of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12/07/01

Date

Barbara S. Conta, PhD

Typed or printed name

Barbara S. Conta

Signature

Vice President, Business Development

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual
case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S.
Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:
Assistant Commissioner for Patents, Washington, DC 20231.

Docket No. 120122.401

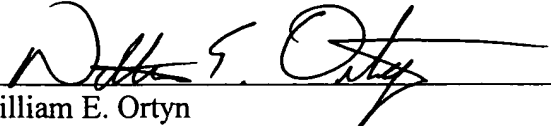
C:\NPortbl\Manage\ADRIAN\239044_1.DOC [09-14-01]

ASSIGNMENT

WHEREAS, we, William E. Ortyn, David A. Basiji and David J. Perry (hereinafter referred to as ASSIGNORS), having mailing addresses of 11546 Matsu Place, Bainbridge Island, WA 98110, 6538 Greenwood Ave N, Seattle, WA 98103, and 24017 107th Drive S.E., Woodinville, WA 98072, respectively, are the joint inventors of an invention entitled "SYSTEM AND METHOD FOR HIGH NUMERIC APERTURE IMAGING SYSTEMS," as described and claimed in the specification for which an application for United States letters patent was filed on October 12, 2001 and assigned Application No. 09/977,076. This application claims the benefit of Provisional Application No. 60/240,125, filed on October 12, 2000.

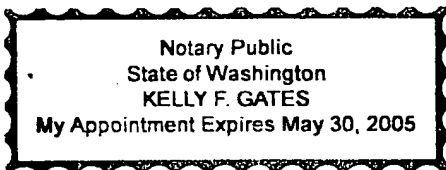
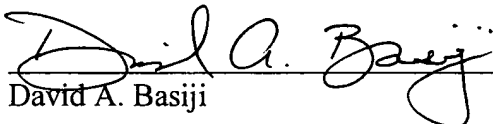
WHEREAS, Amnis Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Washington having a place of business at 2025 First Avenue, Floor 12, Seattle, WA 98121, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date 12/6/01

 William E. Ortyn
State of WASHINGTON)County of KING)

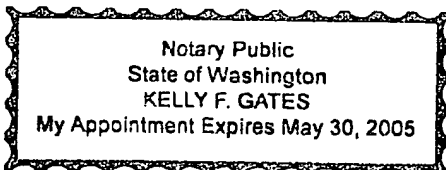
ss.

I certify that I know or have satisfactory evidence that William E. Ortyn is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 6, 2001Signature of Notary Public Kelly GatesPrinted Name Kelly F. GatesMy appointment expires 5/30/05Date 12/06/01

 David A. Basiji
State of Washington)County of KING)

ss.

I certify that I know or have satisfactory evidence that David A. Basiji is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 6, 2001Signature of Notary Public Kelly F. GatesPrinted Name Kelly F. GatesMy appointment expires 5/30/05

12-6-01
Date

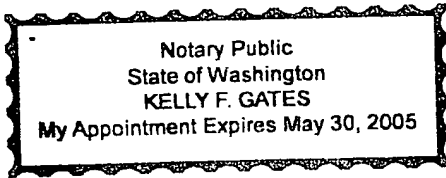
David J. Perry
David J. Perry

State of Washington)
County of King)

ss.

I certify that I know or have satisfactory evidence that David J. Perry is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated December 6, 2001



Signature of Notary Public *Kelly F. Gates*

Printed Name Kelly F. Gates

My appointment expires 5/30/05



#3

UNITED STATES PATENT AND TRADEMARK OFFICE

EXPRESS MAIL NO. EL615254881US

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/977,076	10/12/2001	William E. Ortyn	120122.401

CONFIRMATION NO. 1934

00500
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104-7092

FORMALITIES LETTER



Date Mailed: 11/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

ENTERED IN DOCKET
ALREADY

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$186.
 - \$18 for 2 total claims over 20.
 - \$168 for 4 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 621.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

B.H

01/17/2002 HN00R1 00000083 09977076
01 FC:201 370.00 JP
02 FC:205 65.00 JP
03 FC:202 168.00 JP
04 FC:203 18.00 JP



EXPRESS MAIL NO. EL615254881US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William E. Ortyn et al.
Application No. : 09/977,076
Filed : October 12, 2001
For : SYSTEM AND METHOD FOR HIGH NUMERIC APERTURE
IMAGING SYSTEMS

Art Unit : 2643
Docket No. : 120122.401
Date : January 9, 2002

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated November 15, 2001, please find enclosed the following documents:

 X Fee
 X Oath/Declaration
 X Copy of Notice to File Missing Parts
 Sheets of Formal Drawings

Respectfully submitted,
William E. Ortyn et al.
Seed Intellectual Property Law Group PLLC

Brian L. Johnson
Registration No. 40,033

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **621**

EXPRESS MAIL NO. EL615254881US

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

Complete if Known

Application Number **09/977,076**
Filing Date **October 12, 2001**
First Named Inventor **William E. Ortyn**
Examiner Name
Group Art Unit **2643**
Attorney Docket No. **120122.401**

METHOD OF PAYMENT

☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☐ Other
☐ Deposit Account:
Deposit Account Number **19-1090**
Deposit Account Name **Seed Intellectual Property Law Group PLLC**
The Commissioner is authorized to (check all that apply)
☐ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any deficiencies
to the above-identified deposit account.
☒ Applicant claims small entity status. See 37 CFR 1.27.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	22	-20** =	2	* Fee from below	9	= Fee Paid	18
Independent Claims	7	-3** =	4	* Fee from below	42	= Fee Paid	168
Multiple Dependent				* Fee from below		= Fee Paid	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 186)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$ 65)**

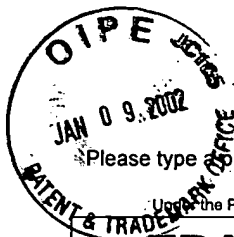
SUBMITTED BY

Name (Print/Type)	Brian L. Johnson	Registration No. Attorney/Agent	40,033
Firm Name/Address			
Signature	<i>Brian L. Johnson</i>	Date	January 9, 2002



00500

PATENT TRADEMARK OFFICE



01-14-02

EXPRESS MAIL NO. EL615254881US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**(To be used for all correspondence
after initial filing)


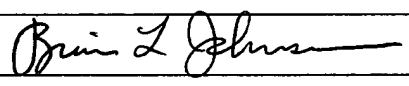
Application Number	09/977,076
Filing Date	October 12, 2001
First Named Inventor	William E. Ortyn
Group Art Unit	2643
Examiner Name	
Attorney Docket No.	120122.401

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input checked="" type="checkbox"/> Cited References (3) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Copy of Notice to File Missing Parts</u> <u>Application Data Sheet</u>
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Brian L. Johnson	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	January 9, 2002	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date: